

Complainant Information

Mailing Address:

Adam Stant

Lafayette, IN 47901

Permanent Residence

Adam Stant

Muncie, IN 47304

Violation Information

I became aware of actions potentially in violation of USC 26 501 (c) 3 beginning in January of 2008. I am employed as a teaching assistant within the Department of Political Science at Purdue University. As is Laurent Wrzesinski, the individual named in this complaint along with Purdue University. During the months of January and February of 2008, I observed the production of an unknown quantity of printed materials on behalf of the presidential campaign of Barack Obama. It is my belief that the quantity of materials printed by Mr. Wrzesinski includes thousands of pages of material having a value in excess of \$200, thus meeting the FEC threshold for reporting of contributions.

I have attached MS-Word copies of several of the documents I observed being printed at the expense of Purdue University, an IRS 501 (c) 3 organization, in the computer laboratories operated by the Department of Political Science. Mr. Wrzesinski is an employee of this department, and has used printers and computers in the laboratories located in Beering Hall 2208 and 2245 in order to produce materials intended to influence the outcome of the 2008 Democratic Presidential Primary. The expense of printing in these laboratories is charged to the Department of Political Science. As part of the benefits provided to students for paying tuition, they are provided a balance of \$40.00 for use in personal printing within computer laboratories.

The materials I observed being printed in Beering Hall 2208 and 2245 were not charged to the \$40.00 printing balance that Mr. Wrzesinski and others receive in exchange for the payment of tuition. I have included an example of the type of receipt individuals receive when printing materials charged to their personal account in Appendix 1. Printing occurring within the laboratories located in Beering Hall 2208 and 2245 is not charged to the individual, subsequently no receipt indicating the cost of the printing is provided to the individual. Printing within these laboratories occurs at the expense of the Department of Political Science, a subdivision of Purdue University, an IRS 501 (c) 3 organization.

Again, it is my belief that at least 4,000 copies valued at \$0.05 per copy when printed at individual expense in laboratories in which the individual receives a printed receipt where printed by Mr. Wrzesinski in Beering Hall 2208 and 2245. Mr. Wrzesinski is an employee of the

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

2008 APR 23 A 11:30

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COUNSEL

2008 APR 22 A 10:29

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Department of Political Science. It is my belief that printed materials having a fair use value of at least \$200 were printed by Mr. Wrzesinski. Upon becoming aware of what I believed to be a violation of the obligations of Purdue University as an IRS 501 (c) 3 organization, I contacted Dr. Tom Atkinson, the ombudsperson within the Purdue University Graduate School in order to report what I believe to be a violation and prompt action by Purdue University in order to prevent its recurrence.

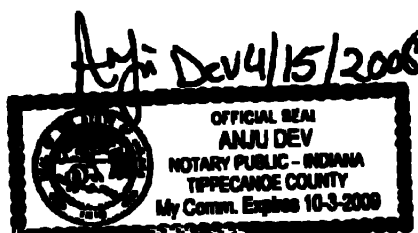
In subsequent email communication, I provided the MS-Word copies of the materials printed by Mr. Wrzesinski to Dr. Atkinson. The file properties of these documents indicated the time and date of their creation, and that they were created on computers operated by Purdue University. I have subsequently been able to obtain an admission by Mr. Wrzesinski that he made an unknown quantity of campaign materials on printers in the department in which he was employed at departmental expense. I have included on the attached CD a series of .wav files recorded during a conversation between myself and Mr. Wrzesinski in which he confesses to having printed an unknown quantity of campaign materials, which he acknowledges may have a value in the several hundreds of dollars.

I have attempted to resolve this matter, and prompt a disavowal of Mr. Wrzesinski's actions through contact with Purdue University administration. After providing both verbal details and documentary proof in the form of the attached MS-Word files, I have been informed that no action will be taken by the University. In a meeting involving Dr. Tom Atkinson, Dr. Thomas Berndt, and Dr Stephen Akers, I was provided with the attached document containing an asterisk in the upper left hand corner. This document cites information from the IRS publication "Election Year Issues" available at <http://www.irs.gov/pub/irs-tege/eotopici02.pdf>. I was informed in this meeting that the University would no disavow Mr. Wrzesinski's actions, and that Mr. Wrzesinski had been informed that he would be allowed to continue the printing of materials of the type provided in this complaint on laboratories operated by the Department of Political Science.

It is as a result of this failure on the part of Purdue University to disavow Mr. Wrzesinski's actions that I am filing this complaint. It is my sincere hope that the Commission may act to prevent the use of taxpayer funded resources to support partisan politics. I may be reached at the mailing address listed above or by email at manfrommiddletown@lycos.com in the case that any questions should arise in the processing of this complaint.

Signed and sworn to before me

Complainant Signature



Ami Dev

Appendix 1

RECEIVED
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2008 APR 22 A 10: 29

AStant

Microsoft Word - Document2

4/11/2008 9:14:00 AM

stew102 / stew102-1

Pages 6 / 6 Sheets

Cost:

\$0.24

Balance:

\$35.52

Mind Your Balance

- * Printing is now being deducted from your Spring 2008 balance
- * You will be required to pay for printing in excess of your quota.
- * For more information, see:
<http://www.itap.purdue.edu/tlt/printing/>

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The following information comes from the IRS publication, "Election Year Issues", available at <http://www.irs.gov/pub/irs-tege/eotopic102.pdf>.

The IRS regulations are clear that Section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of, or in opposition to, any candidate for elective public office. Activities considered to constitute political campaign participation or intervention include publishing or distributing written or printed statements on behalf of or in opposition to a candidate. The determination of whether an organization has participated or intervened is based upon all of the relevant facts and circumstances.

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The IRS guidelines note that the "prohibition on political campaign activity applies only to IRC 501(c)(3) organizations, not to the activities of individuals in their private capacity." However, the guidelines further note that the use of an organization's "financial resources, facilities, or personnel is also indicative that the actions of the individual should be attributed to the organization." In terms of determining when the acts of individuals should be attributed to the organization, the IRS notes that "there must be real or apparent authorization by the IRC 501(c)(3) organization of the actions of individuals other than officials before the actions of those individuals will be attributed to the organization. In general, the principles of agency will be applied to determine whether an individual engaging in political activity was acting with the authorization of the organization." The guidance goes on to note that "the actions of employees within the context of their employment generally will be considered to be authorized by the organization."

Importantly, the guidelines additionally note that "acts of individuals that are not authorized by the IRC 501(c)(3) organization may be attributed to the organization if it explicitly or implicitly ratifies the actions. A failure to disavow the actions of individuals under apparent authorization from the IRC 501(c)(3) organization may be considered a ratification of the actions."

The guidelines actually address the issue of students separately from those of employees. The guidelines state that "the actions of students generally are not attributed to an educational institution unless they are undertaken at the direction of and with authorization from a school official." "In order to constitute participation or intervention in a political campaign, however, the political activity must be that of the college or university and not the individual activity of its faculty, staff, or students." The IRS has ruled on two issues involving university students; in one, it ruled that a university which required students to spend a set number of hours working on the political campaign of the student's choice did not violate the requirements of 501(c)(3). In a separate ruling, the IRS determined that a university that provided office space and financial support for the publication of a student newspaper was not participating in a political campaign when the newspaper published editorials on political matters. The political activities of the student editors were not attributed to the university despite the university's provision of support to the newspaper.

Finally, the guidelines note that universities frequently make facilities available to student groups and others. "Whether the provision of facilities to a group for the conduct of political campaign activities will constitute participation or intervention in a political campaign by the university will depend upon all the facts and circumstances, including whether the facilities are provided on the same basis that the facilities are provided to other non-political groups and whether the facilities are made available on an equal basis to similar groups."



STUDENTS..Barack Obama

"...It's about the past vs. the Future." — Barack Obama, 2-5-08

CINCINNATI-for-OBAMA TRIP

Help Get-Out-the-Vote for Barack in Ohio!

Saturday March 1st

<u><i>It's No Accident</i></u>	Iowa %	New Hampshire %	Nevada %	South Carolina %	Super Tuesday
Voters Age 18-29	Obama 57 Clinton 11	Obama 42 Clinton 21	Obama 59 Clinton 33	Obama 67 Clinton 23	Obama 59 Clinton 38

WHO: Purdue University Students for Barack Obama
WHAT: Knocking Doors to GET-OUT-THE-VOTE for Barack Obama
WHEN: Saturday, March 1st leave 8 AM, return 7 PM
WHERE: Cincinnati, Ohio, less than 3 hours away
WHY: It's 3 days before the Ohio election. Hillary considers Ohio her "firewall." If we win there, Barack will lock up the Democratic nomination for president.
COST: \$10 for the gas fund, and a few extra bucks for 2 fast food stops

This is Purdue SFBO's 7th and final trip. Last time, 57 Purdue people helped get-out-the-vote in St. Louis. Barack wound up winning Missouri by less than 1% on the strength of a St. Louis landslide, and we were part of that. We look to duplicate that performance in Ohio. Join us this time, and play a part in this historical campaign!

FOR MORE INFORMATION CONTACT:

Laurent at 765-543-4996 or lwrzesln@purdue.edu

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March 11 Election Day
Vote for
BARACK OBAMA!
AND SPREAD THE WORD!!!

MISSISSIPPI FOR BARACK

"It's about the past vs. the Future..."
—Obama, 2/5/08

Polls open from 7 AM until 7 PM

Find Polling Location: 800-829-6786

YES WE CAN!



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Vote for
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YES WE CAN!



STUDENTS for Barack Obama

"...It's about the past vs. the Future." — Barack Obama, 1-28-08

SEE BARACK OBAMA SPEAK LIVE

and HELP BARACK WIN ST. LOUIS!!!

Saturday February 2nd

Purdue Students for Barack Obama are going to St. Louis again next Saturday ** We leave at 7 AM ** We'll volunteer by spreading word of the event from 12 – 5 ** After pizza, we will go see Barack Obama speak live!!!

Your choice: 1) Return to West Lafayette very late Saturday night. Or 2) head back Sunday morning (free housing). We'll be back in plenty of time for the Super Bowl.

It's No Accident Voters Age 18-29	Iowa % Obama 57 Clinton 11	New Hampshire % Obama 42 Clinton 21	Nevada % Obama 59 Clinton 33	South Carolina % Obama 67 Clinton 23
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WHO: Purdue University Students for Barack Obama
WHAT: Trip to volunteer for Barack and then see him speak!
WHEN: Saturday, February 2nd
WHERE: St. Louis, Missouri
WHY: Barack Obama's campaign has focused on OUR generation as the engine for social change. It could be decades before we have another serious candidate so committed to young people!

This is 3 days before Super Tuesday, Feb. 5th, when Missouri and over 20 other states choose between Barack Obama and Hillary Clinton. Don't miss this chance to help Barack beat Hillary! And don't miss the opportunity to see Barack speak in person!!!

FOR MORE INFORMATION CONTACT:

Laurent at 765-543-4996 or lwrsesln@purdue.edu

****Join the Purdue Students for Barack Obama Facebook Group****

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STUDENTS..Barack Obama

"...It's about the Past vs. the Future." – Barack Obama, 1-26-08

INDIANA – to – ST. LOUIS for OBAMA

Saturday February 2nd

On Super Tuesday, February 5th, over 20 states choose between Barack Obama and Hillary Clinton. The race is extremely close. So if you want Barack over Hillary, don't just wish for it. Give one Saturday of your life to help elect Barack. Join our grassroots campaign trip on Saturday, Feb. 2nd!

It's No Accident!	Iowa %	New Hampshire %	Nevada %	South Carolina %
Voters Age 18-29	Obama 57 Clinton 11	Obama 42 Clinton 21	Obama 59 Clinton 33	Obama 67 Clinton 23

WHO: Purdue University Students for Barack Obama
WHAT: Second St. Louis trip to help Barack win on the ground
WHEN: Saturday, February 2nd
WHERE: St. Louis, Missouri
WHY: Barack Obama's campaign has focused on OUR generation as the engine for social change. It could be decades before we have another serious candidate who is so committed to young people. This is our last chance to help before Super Tuesday.

Missouri is the closest Feb. 5th state; also one of the biggest and most important. We're helping there because Indiana's primary isn't until May 6th.

FOR MORE INFORMATION CONTACT:

Laurent at 765-543-4996 or lwzsesln@purdue.edu

Purdue Students for Barack Obama was very active last semester. We made 4 well-organized Saturday trips to campaign for Barack in Iowa. Over 50 people made an Iowa trip, and we are ecstatic to have played a direct role in that major victory. We'll do the same for Missouri on Feb. 2nd!

*****Join the Purdue Students for Barack Obama Facebook Group*****

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DETAILS for OBAMA ST. LOUIS TRIP, SAT. FEB 2nd

Please make sure we know you're coming in advance so we have enough drivers ready. Contact Laurent at 765-543-4996 or lwrzesin@purdue.edu

- 1 TIME:** Saturday morning, 7 A.M. SHARP. Don't be the one who makes us late. East side of the Union (near hotel entrance, so our drivers can park).
- 2 DRIVE:** 4.5 hours to St. Louis, fast food lunch when we stop for gas.
- 3 DESTINATION:** Reach Obama office, get "Walk Packets" and training.
- 4 WALK PACKETS:** have the names/addresses of local registered Democrats.
- 5 WALKING:** From 12 - 5 or so, we'll be out knocking those doors, inviting people to see Barack speak that night, asking if they know who they will vote for. About 7 in 10 people will give that info, and everyone will have a few good conversations with voters on Saturday. Some people are just downright happy to see young people like us take interest in the future of our country!
- 6 NOTES:** If they say Obama (1) Undecided (3) Clinton (5) we mark those numbers on the Walk Packet next to that person's name. This helps the local Obama office know who to target for Get-Out-the-Vote efforts on Feb 5th.
- 7 DINNER:** After we finish walking, we'll go sit down for some pizza.
- 8 EVENT:** Then we go see Barack Obama speak. We have a direct guarantee from the St. Louis Obama office that all our Purdue volunteers will get into the event. As you will see below, the time/location has not yet been set but it will definitely be at night.
<http://www.knox.com/Obama-to-Visit-St--Louis/1547170>
- 9 DRIVE HOME:** Let me know if you prefer to 1) head back after the event, getting home in the middle of the night, or 2) stay overnight in St. Louis and leave Sunday morning. We have drivers doing both. If you want to stay, you must bring a sleeping bag or air mattress/blanket.
- 10** If you're 100% positive you're coming, email me back ASAP with your phone #. . I need an exact count for Saturday so we can arrange vehicles, so I need to **EMPHASIZE please be 100% certain you're coming** and that this is your priority for Saturday.



STUDENTS..Barack Obama

"...It's about the past vs. the Future." — Barack Obama, 1-28-08

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FOR MORE INFORMATION CONTACT:

Laurent at 765-543-4996 or lwrzesin@purdue.edu

****Join the Purdue Students for Barack Obama Facebook Group****

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